




Katherine D. Prescott

Principal

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Overview

About Katherine

Katie Prescott is a principal in the Silicon Valley office of Fish & Richardson P.C. Her practice focuses on patent and trade secret litigation with an emphasis on software, network and internet technologies. Ms. Prescott has experience before U.S. district courts nationwide and she has handled all aspects of litigation, including pre-suit investigations, complaint preparation, fact and expert discovery, claim construction, summary judgment hearings, mediations, trial, design around, injunction contingency planning, and appeal. Her experience also includes leading large joint defense groups, coordinating multi-jurisdictional litigation, and negotiating litigation settlements.

Previously (2010-2013), Ms. Prescott was senior litigation counsel at a Fortune 100 consumer electronics company where she led strategy for patent and consumer class action litigations, U.S. International Trade Commission investigations and post-grant proceedings at the Patent Trial and Appeal Board.

Focus Areas

Services

- Litigation
- ITC Litigation
- Patent Litigation
- Trade Secret Litigation

Industries

- Consumer Products
- Digital Media and E-Commerce
- Electrical and Computer Technology
- Financial and Business Services
- Internet
- Manufacturing
- Medical Devices
- Software

Education

J.D. *Order of the Coif*, University of California, Berkeley School of Law (2001)

M.S., Civil and Environmental Engineering, Stanford University (1998)

B.A. *General Honors*, Earth and Planetary Science, Johns Hopkins University (1997)

Insights

Publications

Ms. Prescott is a contributing author to Fish's IP Law Essentials.

- "Extraterritorial Application of the Defend Trade Secrets Act," *Fish Litigation Blog* (March 16, 2021)
- "Stipulated Protective Orders During Patent Litigation," *Fish IP Law Essentials Blog* (November 2020)
- "Is 'Reverse Engineering' Misappropriation of Trade Secrets?" *Fish IP Law Essentials Blog* (July 2020)
- "Navigating Fact Discovery in a Patent Case," *Fish IP Law Essentials Blog* (July 2020)
- "Is it Too Late to File a Misappropriation of Trade Secrets Suit?," *Fish IP Law Essentials Blog* (June 2020)
- "Avoiding Trade Secret Losses During Corporate Collaboration," *The Recorder* (April 2020)

Presentations

- “Unlocking the Secrets of Trade Secret Discovery,” *The Bar Association of San Francisco* (June 15, 2021)
- “Protecting Your Trade Secrets from Misappropriation,” *Fish Webinar* (February 24, 2021)
- “Trade Secrets: Protection and Defense,” *Fish Webinar* (March 2020)
- “Trade Secrets Tips and Trends,” *Managing Intellectual Property’s International Women’s Leadership*, San Mateo, California (December 2019)
- “Loose Lips Sink Ships: Protecting Trade Secrets,” *Daily Journal Trade Secrets Forum*, Palo Alto, California (September 2019)
- “Patent Mediation: An Insider’s View,” *Fish Webinar* (May 2019)
- “Step Away from the Claim Charts,” *Daily Journal Patent Disputes Forum*, Menlo Park, California (April 2019)
- “Trade Secrets Developments in 2018,” *Fish Webinar* (February 2019)
- “Litigation Trade Secrets: A View from the Trenches,” *Daily Journal Trade Secret Litigation Forum*, Palo Alto, California (October 2018)
- “Patent Damages,” *Daily Journal Patent Disputes Forum*, Beverly Hills, California (December 2017)

Recognition

- Named to “The Best Lawyers in America” list by *The Best Lawyers in America*© (2022)
- Named one of the “Top Trade Secret Lawyers” by *Daily Journal* (2019)
- Named one of the “Women Worth Watching” by *Profiles in Diversity Journal* (2018)
- Selected to the Northern California “Rising Stars” list by *Super Lawyers* (2009, 2016-2019)